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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,983

06/27/2006

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EXAMINER

CULLER, JILL E

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,983	<b>Applicant(s)</b> DAVILA CASITAS ET AL.	
	<b>Examiner</b> Jill E. Culler	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 5-10, 13-17 and 22-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11, 12 and 18-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,521,561 to Pali et al. in view of U.S. Patent No. 3,335,701 to Verkinderen et al.

With respect to claim 1, Pali et al. teaches a device for securing doctor blades to a printing roller doctor assembly comprising: releasable securing means, 22, 23, for joining at least one longitudinal supporting portion of a doctor blade, 21, to a body of said doctor assembly, said doctor blade having a cantilevered free longitudinal portion, said releasable securing means comprising: a pressing element, 22, to be put on the doctor blade, and at least one magnetic element configured and arranged to maintain a supporting portion of the doctor blade trapped between the pressing element and a supporting surface of the body, a first face of said supporting portion of the doctor blade in firm contact with said supporting surface of the body and the pressing element in firm contact with a second face of the supporting portion of the doctor blade opposite to said first face in contact with the body. See column 3, lines 52-60, column 4, lines 9-29 and Fig. 5.

Pali et al. does not teach that the magnetic element is configured and arranged to attract said pressing element and said body to one another.

Verkinderen et al. teaches a device for securing a doctor blade comprising: releasable securing means, 30, 31, for joining at least one longitudinal supporting portion of a doctor blade, 20, to a body, said doctor blade having a cantilevered free longitudinal portion, said releasable securing means comprising: a pressing element, 30, to be put on the doctor blade, and at least one magnetic element configured and arranged to attract said pressing element and said body to one another so as to maintain a supporting portion of the doctor blade trapped between the pressing element and a supporting surface, 31, a first face of said supporting portion of the doctor blade in firm contact with said supporting surface of the body and the pressing element in firm contact with a second face of the supporting portion of the doctor blade opposite to said first face. See column 3, lines 41-56, column 5, lines 43-59 and Fig. 1. In particular, column 5, lines 51-53, recites the use of magnets for the blade holder.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Pali et al. to have the pressing element magnetically attracted to the body, as taught by Verkinderen et al., in order to allow for the use of a doctor blade which does not include magnetic materials.

With respect to claim 2, Pali et al. teaches that the at least one magnetic element is imbedded in the material of the body and has an active surface that is level with the supporting surface of the body and the pressing element includes a material attractable by the magnetic elements. See column 4, lines 9-29.

With respect to claim 3, although Pali et al. does not explicitly teach that the magnetic element is formed by at least one continuous strip imbedded in the material of the body along the length of the body, this is an obvious alternative to having a plurality of pieces, as taught by Pali et al. and therefore one having ordinary skill in the art at the time of the invention would have found it obvious to use the continuous strip.

With respect to claim 4, Pali et al. teaches that the magnetic element is formed by a plurality of pieces imbedded in the material of the body and distributed along the length of the body. See column 4, lines 9-29.

With respect to claim 18, Pali et al. teaches that the pressing element is linked by one of its edges to the body by means of an articulation so that the pressing element can pivot between an open position and a securing position. See column 3, lines 52-60.

With respect to claim 19, Verkinderen et al. teaches that the pressing element, 30, is independent of the body, 31, and the body comprises a configuration designed to cooperate with an edge of the pressing element to place the pressing element in an operating position.

With respect to claim 20, Pali et al. teaches that the body comprises a configuration designed to cooperate with an edge of the doctor blade to place the doctor blade in an operating position. See column 3, lines 52-60, column 4, lines 9-29 and Fig. 5.

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Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pali et al. in view of Verkinderen et al., as applied to claims 1-4 and 18-20 above, and further in view of U.S. Patent No. 2,179,625 to Groden.

With respect to claims 11-12, Pali et al. and Verkinderen et al. teach all that is claimed, as in the above rejection of claims 1-4 and 18-20, except that the at least one magnetic element is linked to a mechanism configured and arranged to selectively move the magnetic element between a resting position, in which the magnetic force of the magnetic element is attenuated or cancelled, and an operating position, in which the magnetic force of the magnetic element acts on the doctor blade and on the material attractable by the magnetic element included in the pressing element, wherein, in said resting position, the cited active surface of the magnetic element is sunken below and away from the supporting surface of the body, while in said operating position, the cited active surface of the magnetic element is level with the supporting surface of the body.

Groden teaches a magnetic element, 10, contained in a body, M, linked to a mechanism configured and arranged to arranged to selectively move the magnetic element between a resting position, in which the magnetic force of the magnetic element is attenuated or cancelled, and an operating position, in which the magnetic force of the magnetic element acts on material attractable by the magnetic element, wherein, in said resting position, the cited active surface of the magnetic element is sunken below and away from the supporting surface of the body, while in said operating position, the cited active surface of the magnetic element is level with the supporting

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surface of the body. See page 1, column 2, lines 39-55, page 2, column 1, lines 25-33, page 2, column 2, lines 12-51 and Fig. 2.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the apparatus of Pali et al. to include a mechanism for moving the magnetic element, as taught by Groden, in order to readily change the strength of the magnetic attraction when changing the doctor blade.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pali et al. in view of Verkinderen et al., as applied to claims 1-4 and 18-20 above, and further in view of U.S. Patent No. 5,027,513 to Allison, Jr.

With respect to claim 21, Pali et al. teaches all that is claimed, as in the above rejection of claims 1-4 and 18-20, except the doctor blade is made of a non-magnetic or paramagnetic material or is not attractable by a magnetic element, since Pali et al. is silent with respect to the material of the doctor blade.

Allison, Jr. teaches standard doctor blades made of plastic. See column 2, lines 30-36 and column 3, lines 1-5.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Pali et al. to have the doctor blade made of a non-magnetic material, because Allison, Jr. teaches this is a standard material for doctor blades.

### ***Response to Arguments***

Applicant's arguments filed July 6, 2010 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571)272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

/Jill E. Culler/  
Primary Examiner, Art Unit 2854